# Homunculus Personhood

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Scholars agree that the concept of fetal personhood did not exist in eighteenth-century Britain. Despite recent arguments to the contrary, Enlightenment intellectuals did not tend to accord the rights and perquisites of personhood (juridical or moral) to the unborn child (nor the child, nor the adolescent for that matter).[1] Personhood was (and arguably is) a rare status even when we consider the born: as the philosopher Charles Mills puts it, "most humans were not and are not socially recognized persons, or, more neatly and epigrammatically put: *most persons are non-persons*."[2] However, writers of eighteenth-century fiction did at times imagine something like the fetus's autonomy or separability—and jurists did identify exceptional cases wherein a fetus might approach something like the status of person. How might we understand this tension? This paper is part of a larger project wherein I explore the implications of Mills's observation to our study of eighteenth-century fiction. If personhood is a rare status, and this is reflected in the early novel's interest in kaleidoscopic varieties of non-personhood (women, adolescents, the enslaved, criminals, animals, and so on), then how are we to understand that "little gentleman," the homunculus? Does the homunculus extend or duplicate the personhood of the father? Is the gestating woman a corporate person? How might personhood be exercised from within the womb? I turn to Sterne's *Tristram Shandy* (and its engagement with Locke) to think about the homunculus's claims to personhood and the consequences of those claims. My approach to these questions is rooted in feminist narrative theory and legal studies. As Mary Poovey warned back in 1992, treating personhood as desirable and fighting for its further extension inevitably brings us to the problem of fetal personhood.[3] By lingering with unusual cases of eighteenth-century fetal personhood, I speculate about how we might escape the trap Poovey identifies.

[1] See Erika Bachiachi, "What Makes a Fetus a Person?" *The New York Times*. July 1, 2022. https://www.nytimes.com/2022/07/01/opinion/fetal-personhood-constitution.html

[2] Charles W. Mills, "The Political Economy of Personhood," https://nationalhumanitiescenter.org/on-the-human/2011/04/political-economy-of-personhood/.

[3] Mary Poovey, "The Abortion Question and the Death of Man," in Judith Butler and Joan Wallach Scott, eds., *Feminists Theorize the Political* (Routledge, 1992), 252-61.